

# **Exhibit P**



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September 7, 2007

Ms. Deborah M. Nickson  
2820 Fairlane Drive, Suite A-10  
Montgomery, AL 36116

Re: *Elizabeth Horton v. Don Williams, et al.*

Dear Ms. Nickson:

I am writing in response to "Plaintiff's Expert Disclosures," which you served on August 31, following a conversation that Chuck Stewart, you, and I had about your inability to comply with the scheduling order because your plaintiff is in a hospital in Texas. I want to make clear, so that there can be no misunderstanding, that my client, Don Williams, objects to the Disclosures, because the expert reports required by the scheduling order were not provided with them. Consequently, I take the position that my client's time for designating expert witnesses, and their reports, is tolled until plaintiff fully complies with the scheduling order. In saying this, I fully understand the position you are in, given that your client is, for practical purposes, unavailable, and I will do what I can to accommodate you.

Nevertheless, if plaintiff cannot meet her obligations under the scheduling order, then Judge Thompson should be asked to change the schedule accordingly. The deadline for defendants to disclose experts and their reports is September 28. If Judge Thompson has not been asked to change the scheduling order by then, I may have to take the position that plaintiff has waived the use of testimony by retained experts.

With kindest regards, I am

Very truly yours,

Dorman Walker

DW:dh

cc: Charles A. Stewart, III  
Angela Rogers  
Jack W. Wallace, Jr.